

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
JASPER DIVISION

LEARONARDO TRUSS,)	
)	
Petitioner,)	
)	
v.)	CIVIL ACTION NO. 05-J-0787-J
)	
WARDEN BILLY MITCHEM; ATTORNEY)	
GENERAL FOR THE STATE OF ALABAMA,)	
)	
Respondents.)	

MEMORANDUM OF OPINION

The magistrate judge filed findings and recommendation on February 15, 2006 recommending that the petition for writ of habeas corpus be dismissed as untimely. On March 1, 2006 petitioner filed objections to the magistrate judge's findings and recommendation.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the findings and recommendation and the objections filed by the petitioner, the Court is of the opinion that the magistrate judge's findings are due to be and are hereby ADOPTED and his recommendation is ACCEPTED. Accordingly, the petition for writ of habeas corpus is due to be DISMISSED as untimely. A Final Judgment will be entered.

As to the foregoing it is SO ORDERED this the 7th day of March 2006.



INGE PRYTZ JOHNSON
U.S. DISTRICT JUDGE